

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

IN RE: NATIONAL PRESCRIPTION
OPIATE LITIGATION,

THIS DOCUMENT RELATES TO:

Track Three Cases

MDL 2804

Case No. 1:17-md-2804

Judge Dan Aaron Polster

**DECLARATION OF JENNIFER R. SCULLION IN OPPOSITION TO
THE PHARMACY DEFENDANTS' MOTION TO EXCLUDE CERTAIN
OPINIONS AND TESTIMONY OF DR. KATHERINE KEYES**

JENNIFER R. SCULLION declares the following, pursuant to 28 U.S.C. § 1746:

1. I am a partner in the law firm of Seeger Weiss LLP, one of the firms representing the Plaintiffs in the above-captioned litigation.

2. I submit this Declaration in opposition to the Pharmacy Defendants' motion to exclude certain opinions of Dr. Katherine Keyes, which was served on July 23, 2021. *See* Doc. #: 3798.

3. Annexed hereto as Exhibit 1 is a copy of an article by Magdalena Cerdá, Yusuf Ransome, Katherine M. Keyes *et al.*, entitled *Prescription opioid mortality trends in New York City, 1990-2006: Examining the emergence of an epidemic*, published in 132 Drug Alcohol Dependency 53 (Sept. 2013), which is available on the website of the National Library of Medicine of the National Institutes of Health, at <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3748247/pdf/nihms440471.pdf> (last visited Aug. 17, 2021).

4. Annexed hereto as Exhibit 2 is a copy of the plea agreement in *United States v. Purdue Pharma L.P.*, dated October 20, 2020, which is available on the website of the U.S. Department

of Justice's Office of Public Affairs, at <https://www.justice.gov/opa/press-release/file/1329576/download> (last visited Aug. 17, 2021).

5. Annexed hereto as Exhibit 3 is a true copy of a document produced in discovery by Defendant Walmart Inc., Bates-numbered WMT_MDL_001139294.

6. Annexed hereto as Exhibit 4 is a true copy of a document produced in discovery by Defendant Walmart Inc., Bates-numbered WMT_MDL_000185387.

7. Annexed hereto as Exhibit 5 is a copy of an article by Wilson M. Compton, M.D., M.P.E., *et al.*, entitled *Relationship between Nonmedical Prescription-Opioid Use and Heroin Use*, published in the New England Journal of Medicine at 374 N. Engl. J. Med. 154-63 (2016), and available at <https://www.nejm.org/doi/pdf/10.1056/NEJMra1508490?articleTools=true> (last visited Aug. 17, 2021).

8. Annexed hereto as Exhibit 6 is a copy of the November 2019 report of the Association of Schools and Programs of Public Health's Task Force on Public Health Initiatives to Address the Opioid Crisis, entitled *Bringing Science to Bear on Opioids: Report and Recommendations from the ASPPH Task Force on Public Health Initiatives to Address the Opioid Crisis*. The report is available at https://asp-ph-wp-production.s3.us-east-1.amazonaws.com/wp-content/uploads/2019/09/ASPPH.Opioids.FINAL_.11.01.20191.pdf (last visited Aug. 17, 2021).

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 18th day of August, 2021.

/s/Jennifer R. Scullion
Jennifer R. Scullion